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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 20, 2006

Signature:

*[Signature]*  
(Raymond B. Churchill, Jr.)

Docket No.: HALFOR 3.0-001  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Tait et al.

Application No.: 09/965,025

Filed: September 27, 2001

For: DATA MANAGEMENT SYSTEM

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:  
: Group Art Unit: 2163  
:  
: Examiner: A. W. Kindred  
:  
:  
:

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW THE HOLDING OF AN ABANDONMENT**  
**(FAILURE TO RECEIVE OFFICE ACTION)**

Dear Sir:

Applicant hereby petitions for withdrawal of the holding of abandonment of the above-identified application.

The above-identified application became abandoned on January 12, 2006 for failure to file a timely response to the Office Action mailed July 1, 2005.

Applicant submits that no response was filed by Applicant subsequent to the July 1, 2005 Office Action because that Office Action was not received by Applicant or counsel's agent for prosecution of the Application as a result of an error in the correspondence address for counsel for Applicant.

This Application was commenced by Applicant on September 27, 2001 by the undersigned attorney, Raymond B. Churchill, Jr., Reg. no. 44,617, then practicing with the law

firm of Gottlieb, Rackman & Reisman, P.C. in New York, NY. The undersigned attorney signed the original application papers that were filed with the U.S. Patent and Trademark Office. No customer number was identified.

A Declaration and Power of Attorney was subsequently filed in response to a Notice to File Missing Parts in which Applicant appointed Raymond B. Churchill Jr. as attorney for Applicant and further requested the PTO to:

Direct all correspondence and telephone calls to Raymond B. Churchill, Jr. at the address and telephone number shown above.

The referenced address was to the Gottlieb, Rackman and Reisman, P.C. firm in New York. Again, no customer number was identified.

In May 2004, attorney for Applicant, Raymond B. Churchill, Jr. discontinued practicing with Gottlieb, Rackman & Reisman, P.C. and joined the firm of Lerner, David, Littenberg, Krumholz & Mentlik, LLP in New Jersey. The file for this application was transferred from the former New York address to the current New Jersey address of counsel for Applicant by correspondence to the undersigned on April 1, 2004.

On June 21, 2004, the undersigned appointed attorney for Applicant, Raymond B. Churchill, Jr., filed a "Change of Correspondence Address" form with the U.S. Patent and Trademark Office to change the correspondence address for this application to the law firm of Lerner, David, Littenberg, Krumholz & Mentlik, LLP in New Jersey, where counsel for Applicant currently practices. The filed change of address form is attached hereto as exhibit 1.

The U.S. PTO did not process that change of address

request to modify the prior New York address to the current New Jersey address for counsel for Applicant. The change of address form was apparently processed on December 21, 2004.

When the U.S. PTO mailed the July 1, 2005 Office Action, it appears to have been mailed to the former New York address rather than the present New Jersey address of the undersigned counsel for Applicant, Raymond B. Churchill, Jr. The undersigned counsel for Applicant never received a copy of the mailed Office Action as it was not forwarded to the present attorney from the New York address or to the Applicant.

Counsel for Applicant discovered the inadvertent abandonment of the present application when Examiner Kindred contacted this firm by telephone to advise of the outstanding office action on or about the date of the January of 2005 Notice of abandonment. Prior to that date, neither Applicant nor the undersigned counsel for Applicant were aware of the pending July 1, 2005 Office Action.

A search of the file and docket record for this application confirms that the mailed Office Action was not received at this firm prior to the January abandonment date. A copy of the docket record where that receipt of the Office Action would have been entered is attached to this statement as exhibit 2.

As you can see from the highlighted areas of the docket record, our file name Halfor 3.0-001 (Application No. 09/965,025) was last docketed for entry of the office action dated December 16, 2004. There are no entries for an office action on July 1, 2005 nor receipt of that action.

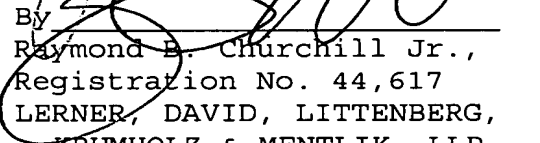
In view of the foregoing, Applicant respectfully requests that this Petition be granted. Applicant requests that

the application be returned to pending status, and the period for response in the office action be re-set and re-mailed to the applicant's attorneys.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee due during the pendency of this application is not paid, the Patent and Trademark Office is authorized to charge the underpayment to Deposit Account Number 12-1095.

Dated: March 20, 2006

Respectfully submitted,

  
By \_\_\_\_\_  
Raymond B. Churchill Jr.,  
Registration No. 44,617  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Attorneys for Applicant

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3/14/2006

## Patent Information Print

Docket No	HALFOR 001	Publication Dt	01AU2002
Country	United States	Conformed	
Case Type	REGULAR CASE TYPE	Expiration Dt	
Relation Type	ORIGINAL OR PARENT CASE	Tax Base Dt	
Filing Type	NATIONAL CASE	LICENSED?	
Filing No		Next Tax Dt	
Attorney	MATTHEW E. HANLEY	Ag Ref No	
Agent		File Name/#	HALFOR 3.0-001
Client\Division		Last Act Dt	16DE2004
Current Owner	DATA DIGITAL PTY LIMITED	Clt Matter#	HALFOR.1
Prev Own		Report Date	
Status	Filed	Client Ref #	
First Filing Dt	27SE2001	SEC REP DT	
Sub Stat		Group Art Unit	2163
Parent Country	Australia	IManage#	
Parent Filing Dt	27SE2000	Drawings	
Parent No	PR0401	Product	
Parent Grant Dt		Conf. No.	2637
Total Claims		Verified	N
Ind. Claims		Customer	LDPP
Application #	09/965,025	Create Dt	07AP2004
Application Dt	27SE2001	Update Dt	13MR2006
Patent No		Update Tm	0901
Grant Dt		Update User	JMH
Publication #	20020103727A1	Update Type	

## \*\*Actions\*\*

Action	INFO DISCL STMT DUE	Resp Atty #1
Act Due Date	27DE2001	Resp Atty #2
Comp Dt	27DE2001	
Action	PUBLISHED	Resp Atty #1
Act Due Date	27MR2002	Resp Atty #2
Comp Dt	01AU2002	
Action	AMENDMENT DUE	Resp Atty #1
Act Due Date	25DE2003	Resp Atty #2
Comp Dt	26JA2004	
Action	PRIORITY DOCUMENT DUE	Resp Atty #1
Act Due Date	07MY2004	Resp Atty #2
Comp Dt	08AP2004	
Action	REQ FOR CONT EXAM	Resp Atty #1
Act Due Date	13JL2004	Resp Atty #2
Comp Dt	12OC2004	
Action	REV & SUB OF ATT	Resp Atty #1
Act Due Date	16MR2005	Resp Atty #2
Comp Dt	06MR2006	
Action	AMENDMENT DUE	Resp Atty #1
Act Due Date	16MR2005	Resp Atty #2
Comp Dt	01AP2005	
Action	PETITION TO REVIVE	Resp Atty #1
Act Due Date	28FE2006	Resp Atty #2
Comp Dt		

## \*\*Description\*\*

Description  
was halfo

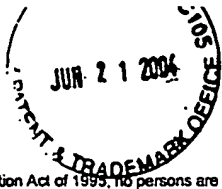
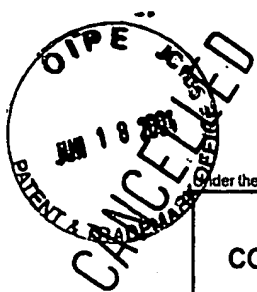
## \*\*Inventors\*\*

Inv Name	Inventor	TAIT, ET AL
Assigned		

## \*\*Other No's\*\*

Other No Cd	Client Refer no for ann extr	Other No Dt
Other No		
Other No Cd	PRODUCT CODE	Other No Dt
Other No		

## \*\*Title\*\*



PTO/SB/122 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>CHANGE OF CORRESPONDENCE ADDRESS Application</b>  Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/965,025
	Filing Date	September 27, 2001
	First Named Inventor	Robert J. Tait
	Art Unit	2172
	Examiner Name	Not Yet Assigned
	Attorney Docket No.	HALFORD 3.0-001

Please change the Correspondence Address for the above-identified application to:



Customer Number:

000530

OR

**RECEIVED**

JUN 24 2004

<input type="checkbox"/> Firm or Individual Name	Lerner, David, Littenberg, Krumholz & Mentlik, LLP				
Address	600 South Avenue, West				
City	Westfield	State	NJ	Zip	07090
Country	USA				
Telephone	(908) 654-5000			Fax	(908) 654-7866

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:



Applicant/Inventor



Assignee of record of the entire interest.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).



Attorney or Agent of record. Registration Number 44,617



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number

Typed or Printed  
Name

Raymond B. Churchill, Jr.

Signature

Date

6/18/2004

Telephone

(908) 518-6398

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.



\*Total of 1 forms are submitted.